



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SUNCO GROUP INC.,

Plaintiff,

-against-

EARTH BIOFUELS, INC.,

Defendant.
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:
: 07 Civ. 4776 (WHP)

:
: ORDER

WILLIAM H. PAULEY III, District Judge:

Defendant having informed this Court that it is no longer the subject of a
bankruptcy proceeding, it is ordered that the Suspense Order issued on November 14, 2007 be
lifted.

Dated: December 26, 2007
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Counsel of Record:

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